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U.S. Serial No.: 10/708,919

File: March 31, 2004

Group Art Unit: 3733

Examiner: David C. Comstock

Atty. Docket No: 101896-241 (DEP-5293)

**AMENDMENTS TO THE CLAIMS**

Claim 1 (Currently amended): A spinal fixation device, comprising:

a first elongate member having a female connector with opposed arms and a second elongate member having a male connector adapted to mate to the female connector, the first and second elongate members coupled to one another such that the first and second elongate members are angularly adjustable relative to one another; and

a locking mechanism adapted to lock the elongate members in a fixed position relative to one another independent of a bone anchor

wherein at least one of the first and second elongate members is a spinal fixation rod.

Claim 2 (Original): The spinal fixation device of claim 1, wherein angular adjustment of each elongate member is limited to a single plane.

Claim 3-6 (Cancelled).

Claim 7 (Currently Amended): The spinal fixation device of claim 1, wherein the other of the first and second elongate members is each ~~comprise~~ a spinal fixation rod,

Claim 8 (Currently Amended): The spinal fixation device of claim 1, wherein the other of the first and second elongate members is each ~~comprise~~ a spinal fixation plate,

Claim 9 (Original): The spinal fixation device of claim 1, wherein the first elongate member is a spinal fixation rod and second elongate member is a spinal

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fixation plate.

Claim 10 (Original): The spinal fixation device of claim 1, wherein the first elongate member has a diameter that is different than a diameter of the second elongate member.

Claim 11-12 (Cancelled).

Claim 13 (Previously Presented): The spinal fixation device of claim 1, wherein the opposed arms define a recess therebetween for receiving the male connector.

Claim 14 (Previously Presented): The spinal fixation device of claim 1, further comprising a bore extending through the opposed arms on the female connector and through the male connector, and a central mating element extending through the bore for mating the male and female connectors to one another.

Claim 15 (Original): The spinal fixation device of claim 14, wherein the central mating element comprises a cylindrical member, the cylindrical member being adapted to allow at least one of the first and second elongate members to rotate thereabout.

Claim 16 (Original): The spinal fixation device of claim 15, wherein the cylindrical member is fixedly coupled to a portion of the female connector, and the male connector is free to rotate about the cylindrical member.

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Claim 17 (Original): The spinal fixation device of claim 16, wherein the locking mechanism is effective to engage the cylindrical member to prevent movement of the male connector relative to the female connector.

Claim 18 (Original): The spinal fixation device of claim 17, wherein the locking mechanism comprises a slot extending through the male connector such that the male connector is in the form of a clamp, and wherein the locking mechanism further comprises a fastening element adapted to engage the male connector to clamp the cylindrical member within the bore.

Claim 19 (Original): The spinal fixation device of claim 18, wherein the fastening element comprises a threaded member.

Claim 20 (Previously Presented): The spinal fixation device of claim 1, wherein the female connector and male connector of the first and second elongate members rotate about a central axis extending substantially perpendicular to an axis of each first and second elongate members.

Claim 21-41 (Canceled).

Claim 42 (Currently amended): A spinal fixation device, comprising:  
first and second elongate members, each having a connecting feature formed on a terminal end thereof, the connecting features being coupled to one another such that the first and second elongate members are angularly adjustable relative to one another along a plane;  
a locking mechanism adapted to extend into at least one of the connecting features along an axis that is substantially parallel to the plane to lock the first and second elongate members in a fixed position relative to one another

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wherein at least one of the first and second elongate members is a  
spinal fixation rod.

Claim 43 (Currently Amended): A spinal fixation device, comprising:

first and second elongate members coupled to one another such that  
the first and second elongate members are angularly adjustable relative to one  
another, the angular adjustability of each elongate member being limited to a  
single plane;

a locking mechanism adapted to lock the elongate members in a fixed  
position relative to one another, the locking mechanism extending along an  
axis that is substantially parallel to the single plane of angular adjustability of  
each elongate member

wherein at least one of the first and second elongate members is a  
spinal fixation rod.

Claim 44-45 (Cancelled).

Claim 46 (Currently amended): A spinal fixation device, comprising:

a first elongate element having a clamping mechanism formed on a  
terminal end thereof;

a second elongate element having a terminal end adapted to be  
received by the clamping mechanism on the first elongate element; and

a locking mechanism adapted to lock the clamping mechanism such  
that the second elongate member can be maintained in a fixed position  
relative to the first elongate member

wherein at least one of the first and second elongate members is a  
spinal fixation rod.

Claim 47 (Original): The spinal fixation device of claim 46, wherein the first  
elongate element has a diameter different from a diameter of the second

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elongate element.

Claim 48 (Original): The spinal fixation device of claim 46, wherein the first elongate element has a diameter that is the same as a diameter of the second elongate element.

Claim 49 (Original): The spinal fixation device of claim 46, wherein the terminal end of the second elongate element is positioned at an angle relative to a longitudinal axis of the second elongate element.

Claim 50 (Original): The spinal fixation device of claim 49, wherein the angle is about 90°.

Claim 51-59 (Cancelled).